

F 1246

.L48

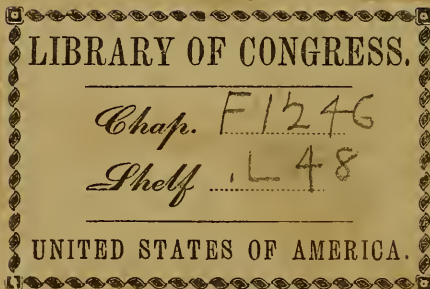
Copy 1

F

1246

.L48

19 5. 3



HISTORICAL OUTLINE
OF
LOWER CALIFORNIA,

COMPILED BY
✓
JACOB P. LEESE.
"

NEW YORK, DECEMBER, 1865.



New York :
E. S. DODGE & CO., BOOK AND JOB PRINTERS, 84 JOHN STREET.

1866.

2-5127

F 296
L 48

The undersigned, having obtained a grant from the Mexican Government of such part of the Territory of Lower California as lies between $24^{\circ} 20''$ and 31° north latitude, containing five thousand and two hundred square leagues, or forty-six thousand eight hundred square miles of land, has formed a company for the purpose of colonizing and developing the Territory.

The following brief account of the geography, climate, agricultural and mineral resources of the Territory is derived either from authentic manuscripts of former travellers or from my own observation, and is entirely reliable.

JACOB P. LEESE.

HERNANDO CORTES, having vanquished, though not subjugated, the Aztec nation, looked towards the western shores of the new world, and, amid his dreams of glory, saw in the horizon, clouds, which like those that indicate to the mariner the proximity of land, gave him assurance that from their midst might yet emerge another Tenoxtitlan. In the year 1534, two vessels, built by his orders in the Sea of Tehuantepec, explored the waters of the Pacific, and discovered the Gulf and land of Lower California. The Gulf was called the Sea of CORTES, afterwards the Vermillion Sea, now more commonly the Gulf of California. His first anchorage was made at a shallow cove on the gulf side, in front of the Island of Cerralvo, (latitude $24^{\circ} 15''$.) Without knowing its extent or form, he took possession of the main land in the name of the King, and called it Santa Cruz.

After the lapse of one hundred and sixty-three years from its discovery by CORTES, Father JUAN MARIA DE SALVATIÉRRERA, accompanied by Admiral OTANDO, took possession of and colonized the peninsula. On the 19th day of October, 1697, they landed at the Bay of San Bruno; but not deeming this place suitable for their purposes, sailed fifteen miles further north, to the place now called Loreto. Loreto, called from the Virgin Loreto, is situated in north latitude $25^{\circ} 30''$, on a bay surrounded by land in the form of a semi-circle. The land is covered with verdure and undergrowth timber, and well watered. It afterwards became the capital of the whole peninsula.

In a manuscript book used by Father SALVATIÉRRERA for the entry of the baptisms and marriages of the Indians at the Mission of Loreto, from October 1, 1701, may be found the following note made by Father FRAY JUNIPERO SERRA, at the time of his taking possession of the Mission, April 2, 1768:

[TRANSLATION.]

"Holy Saturday, April 2, 1768.

"We are now in this mission and royal presidio of Loreto, the capital of this peninsula of Lower California, sixteen religious priests and apostolic missionaries of the Seraphic Order of the College of '*Fide Propuaganda*,' of the College of 'San Fernando of Mexico,' sent by our prelates to serve as ministers for all the missions of this peninsula which were placed under the charge of our said apostolical College in the name of his Catholic Majesty, (whom may God guard,) by decree of his excellency the Marquis of CROIX, Viceroy and Captain-General of this new Spain.

7, "In March, 1777, Father NICHOLAS TAMARAL, appointed to the projected missions, arrived at Loreto with orders to Father SALVATIÉRRRA from the new Viceroy, Marquis of VALERO. The Marquis desired a personal interview with Father SALVATIÉRRRA at the Capital of Mexico, for the purpose of eliciting all possible information regarding California. Despite his age and infirmities, the good Father, anxious to protect the interests of his missions, leaving Father URGARTE in charge, started March 31st on his long and tedious journey, accompanied by Brother BRAVO. On the ninth day of his journeying he landed at Matachel, (now San Blas,) and thence he travelled on horseback to Tepic. There, being attacked by a severe gravel complaint to which he was subject, he was obliged to be carried on a palauquin to Guadalajara, where he became dangerously ill. Seeing his last end approaching, he solemnly confided to Brother BRAVO the business which had induced him to undertake his journey to Mexico, and directed him to write the missionaries in California that he hoped, through the mediation of those who had been converted to the true faith through his labors, and had preceded him to Heaven, to secure the aid and protection of the ALMIGHTY for that country.

So departed the spirit of this illustrious and worthy man, on the 17th day of July, 1717, in the seventy-first year of his age. His remains were placed in a coffin and deposited behind the altar in the Chapel of our Lady of Loreto in Guadalajara, of which he was the founder "

OF THE MISSIONS, AND BY WHOM FOUNDED.

LORETO.

Loreto is situated on the margin of the Gulf, in north latitude $25^{\circ} 31''$, about the center of Dionisius' Cove, (formed by the Coronados Islands on the north and the Carmen Island on the south.) The land is level, and very desirable for a settlement. Eighteen miles south there is another harbor called "Concealed Peak," which though narrow at its entrance, affords a safe anchorage in all seasons of the year for the largest vessels. It is about three miles in circumference, surrounded by a rocky, craggy bluff, and intersected here and there by deep and narrow gulches, and well timbered. It was formerly used by the Spanish as a concealed magazine. The remains of the old buildings are yet standing. In the interior, some thirty miles west and north of Loreto, are found silver, lead, flint and copper. Fruits of all descriptions are raised in great abundance. The oranges of Loreto, a species of the mandarin orange, though larger in size, are especially valued in all the Mexican ports, and are preferred to any others raised on that coast.

MISSION MULÈGÈ.

Mission Mulègè, in north latitude 27° , was founded by Father BASALDUA in November, 1705. It is distant about two miles from the gulf, on the edge of a plain at the foot of a mountain which rises westward. The plain is about twenty miles in extent, well timbered, and affording plenty of pasture. A stream courses through it, about three miles in length at high tide, and navigable

for vessels of twenty tons for two miles, up to the old settlement. The old settlement was abandoned in 1815 by the few remaining inhabitants, who were compelled to leave, as the government made it a depôt for exiles sent from Sonora and Sinaloa.

MISSION COMONDU.

Mission Comondu, in north latitude $25^{\circ} 30''$, was founded by Fathers SALVATIÉRRRA, UGARTE and GUILLERINE DE MAYERGA, in 1708. It is situated at the head waters of the north-eastern arm of the Bay of Magdalena, *on the Pacific coast*, at the foot of a rocky cañon opening to the west, about forty miles from the Harbor of Magdalena. Here there is quite a settlement, composed principally of American and English sailors. They are chiefly occupied in capturing the whales which make their appearance in this harbor from the north about the month of December, give birth to their young, and leave for the north about the month of April. Their mode of capturing these animals is almost certain, though extremely dangerous to any not adepts. When the whale is found with its young, (called the *calf*,) the calf is first killed, being readily captured. The mother will not leave her young, but hunts till she finds it, gets bewildered, and frequently throws it out of water to the height of twelve or fifteen feet; becoming exhausted, she falls an easy prey to her pursuers. The bay, during the last thirty years, (it was known to but few before that time,) has been visited yearly by about eight vessels. The proceeds of each season are estimated at 180,000 gallons of oil. The settlers, in all about one hundred and forty souls, obtain a comfortable living from the employment given them by their annual visitors, the whalers, and are supplied by them with all necessary clothing. They cultivate orchards of fruit, make sugar and molasses from the cane they raise, and brandy and wine from the grapes which grow in great abundance.

MISSION OF SAN JAVIER,

In north latitude 25° , was founded by Father PICOLO, March 10, 1698, and built by Father MIGUEL DEL PARCO in 1757. It is a valley of good land, four leagues in extent.

MISSION SANTA GERTRUDIO,

In north latitude 29° , founded in 1750 by Fathers CONWAY and FERNANDO RETZI, (the latter a German Jesuit,) is situated twenty-six miles from San Ignacio. It possesses an excellent well of water, and though lacking in agricultural lands, abounds in mineral wealth. The buildings are in an excellent state of preservation. The silver ornaments were made for this mission by a practical miner and silversmith, HERNANDEZ, and bear his name.

MISSION SAN IGNACIO,

In north latitude 28° , was founded in 1728 by Father JUAN MARIA DE LUGARDO, a Mexican Jesuit. It is situated in a valley, through which a large creek runs east by south, emptying into a lake about six miles in extent, and irrigating the land, which is well adapted for cultivation. The buildings are in a good state of preservation, and part of them are occupied by an old gentleman and his family by the name of VENTURO ARCE. It is a charming site for a town, and about nine miles from a good harbor on the Pacific coast, called San Bertolomo. The volcano of "Los Virgines" is in sight. The mountains abound in gold quartz, veins and sulphates of copper.

MISSION SAN BORJO,

In north latitude 29° , was founded in 1762 by Father WENCESLAO LINK, a native of Bohemia. It is situated about fifteen miles from

the gulf, opposite the Island of "Los Angeles de la Guarda." The land is well watered, and adapted to pastoral, though not agricultural purposes. The mountains are full of minerals and good gold placer diggings. There are a few Indians living here, two of whom were the original founders—MELCHOR and TERESA, his wife. The husband has attained the great age of one hundred and eight years, and his wife that of one hundred and four years. They take great pride in showing to all visitors the book of registry containing the entry of their births, which they have carefully preserved. The mission was robbed of all its silver ornaments in 1849, by emigrants on their way to Upper California.

MISSION SANTA MARIA,

In north latitude $29\frac{1}{2}^{\circ}$, was founded in 1767 by Father VICTORIANO ARULS. It is about thirty miles from the gulf, and sixty miles from San Borja. It has a stream of good water, and a harbor on the gulf side known as San Philipe de Jesus. At the harbor the lands are covered with a heavy growth of good timber, yellow pine, cedar, rosewood and acacia. The mission was abandoned by the whites from the hostility of the Indians.

MISSION ROSARIO,

In north latitude 30° , was founded by Father MANUEL RODRIGUES in 1782. It is about two miles from the head waters of a large bay, called by some Scameron's Lagoon, and about sixteen miles from the Pacific coast; a small but charming valley, covered with verdure, with a fine spring of water in its center. The country between the two last missions is said to abound in mineral wealth, but rough and rugged and little explored. The Indians, always hostile to the miners, have been almost exterminated during the last two years (1863 and 1864) by the small-pox.

MISSION SANTA CATARINA,

In north latitude $31^{\circ} 30''$, is situated on a plain known as San Vincent Ferrer, about fifteen leagues from the Colorado River. The agricultural lands are extensive, and the country well timbered. This mission was founded in 1795, and abandoned and completely destroyed in 1835, probably by the Indian tribes on the Colorado who were very numerous at the time of its first settlement.

MINERAL RESOURCES.

The mining interests in Lower California, now about being developed, have been up to this time entirely neglected, owing to the strong opposition of the missionaries, who urged that the miners, mostly taken from the very dregs of society, would introduce disorder and bad habits—in a word, all the vices unknown to the settlers.

The mineral wealth of the territory has been in fact scarcely known, as the country has been never fully explored, and was almost abandoned for years.

Under this head, I shall relate only what came under the personal observation of Don RAMON NAVARRO. This gentleman was commissioned under the Reform Laws, by the Mexican Government, February 3, 1862, and directed to visit all the missions of the territory as far north as San Borja, and to take possession of all the manuscripts and “antiques” deemed useful for the history of Mexico, or as objects of curiosity for its museum. He was also instructed to make special investigation of all the lands susceptible of cultivation, and of all the mineral resources of the territory.

[TRANSLATION.]

“After a ten days’ voyage on the national brig *Lupita*, he arrived February 14, 1862, at Mulège, where he obtained animals and other necessities for his journey. Thence he proceeded by land to the mission of San Ignacio, a distance of about thirty-one leagues through the mountains. Five leagues from Mulège he reached the plains of La Magdalena, a beautiful valley, eighteen leagues in circumference, the site of the Jesuit mission of that name. North of the plain is the place called Rondin, where are yet to be seen the marks of orchards and gardens. Here, too, the remains of an aqueduct, which the lapse of so many years has not yet destroyed, still exist. It is built of stone and cement, and must have been a work of great merit in its day. It runs along a rugged and steep mountain, and was supplied from the Rondin Creek. In the center of this plain, near the road at the cañon of the mountain, stand the ruins of a reservoir, nearly two hundred and fifty feet in height, whence the land was irrigated; producing, as Father CLAVIGERO said, coffee, tobacco, grapes, oranges, figs, pomegranates, dates, and all kinds of grain.

“In a word, each and every thing appertaining to the kingdom of Lower California, has been the result of long and patient work, initiated one hundred and sixty years ago (when the last mentioned mission was founded). Before that time Nature ruled supreme. The various and continuous political dissensions which have destroyed the vitality of the republic, have caused the abandonment of all the improvements of the territory. By a decree of August 17, 1823, nine missions were suppressed and abandoned in consequence of the settlements of Upper California.

“The architecture of the churches of the mission, is of the San Javier order, and the buildings are still in a good state of preservation. Their silver ornaments and oil paintings have been delivered to the Bishop of the diocese. The libraries contain nothing but moth-eaten works. There are, however, some very interesting registers of births, marriages and baptisms, which have been in the possession of the Missions of Purisima, Santa Maria, Santa Gertrudio and San Borja, since their foundation.

“The temperature is mild and extremely healthy, in consequence of the peculiar geographical position of the land. The Sea of Cortes lying on the east, and the Pacific on the west, a light breeze from the east prevails in the morning, and from the west in the afternoon, making it a delightful and healthy climate. The termination of the peninsula, at the Cape of San Lucas, is in 23° north latitude, and extends north to latitude 32°; its average width is about ninety miles.

“The minerals of San Ignacio district are mainly auriferous; but marble and alabaster of three kinds are found in immense stratas on the gulf side of the Santa Maria Creek, facing the Island of Santa Marcus, only three miles from the landing. A road can easily be built from the quarries to the landing, as the country is perfectly level, and no obstructions of any account intervene. There are also in the same vicinity, as the Supreme Government is informed, an island of solid mass of gypsum, and a mountain of sulphur.

“The ridge of mountains in the vicinity of Santa Gertrudés, is crossed by metaliferous veins containing different sulphurets, copper being the most abundant. Plenty of good pasture is to be found among the mountains.

“The Mapimi Mountain, four leagues distant from Santa Gertrudé, is also crossed by many metaliferous veins. The land is auriferous, (called by the miners ‘tèperaguay,’) and is easily worked. Many of the low hills in this vicinity are crossed in all directions by gold-bearing quartz veins, and are worked by the few Indians living there, yielding from four to five ounces to the cargo (300 lbs.) Two Indians, the only inhabitants of San Borjas, pretend that on the Big Creek, near the Port of Los Angelos, they find the paint for their faces, which we should judge was vermillion; and that in former times this place was visited by large bodies of Indians from the Colorado.

“At Los Cabras there are also several veins of argentiferous ores, in which the sulphurets of silver and lead prevail.

"The Port of Trinidad is about nine leagues south-west of Santa Gertrudè, and has a large and excellent anchorage. The entrance of its harbor is wide, sheltered from all prevailing winds, and from seven to ten fathoms deep. The exportation of the rich, auriferous quartz, found within thirteen leagues of the coast, would certainly be profitable, as the cost of extracting, transporting and shipping would be small. There would of course be some obstacles to surmount at the outset from the scarcity of the population.

"On the 18th of May, having finished the work for which we were commissioned by the Government, the result of which is hereby reported, we returned in the brig *Refugio*, and present this report as directed.

"Liberty and Reform.

"LA PAZ, April 14, 1862.

(Signed)

"RAMON NAVARRO."

PEARL FISHERIES.

In spite of the caprices of Fashion, and the perfection to which the art of imitating them has been carried, pearls have always occupied, from the most remote times, a high position among articles of luxury. History records that as Industry and Art won the primitive races from their nomadic style of living, pearls became an article of the commerce which arose among them. The Bahrein Islands were probably the first ever explored for pearls. The following extract from the "History of the Discovery of the New World," will show the estimation of pearls in the sixteenth century, and the demand for them among the nobility of the European and Asiatic courts :

"CHRISTOPHER COLUMBUS asks gold from the earth, and pearls from the sea. Almost disheartened by the machinations and

“intrigues of his enemies, he was still zealous in maintaining the
 “interests of the Spanish Court, and the advantages to be derived
 “by the Spanish Government from a conquest which promised
 “untold riches so easily to be acquired. He was therefore rejoiced
 “at the sight of the pearl necklaces which the natives of the
 “Caribbean Sea presented to him, and which he sent to his protec-
 “tress, the Queen ISABELLA. The Indians, on being asked whence
 “they obtained the pearls which adorned the breasts, noses and
 “ears of their Squaws, turning their backs to the Atlantic Ocean,
 “and pointing to the horizon in the direction of a chain of high
 “mountains, said--‘Beyond that.’ But COLUMBUS died in igno-
 “rance of the form of that continent, which he believed to be the
 “eastern extremity of Asia; and it was reserved for other more
 “fortunate navigators to discover and profit by the discovery of the
 “submarine treasures of the Caribbean Sea, the Bay of Panama
 “and the Gulf of California”

Historians relate that CORTES and his companions found among the treasures of Montezuma, great quantities of pearls, but none of them say whence they were obtained. It may be inferred from their silence that they were bought from the traders and fishers on the western coast between Acapulco and San Blas. As the California pearls were unknown to the Court of the great TENOXITLAN, and were not much valued by the Californians themselves, the earliest fisheries were the origin of rapid fortunes to the pearl fishers of Sonora and Sinaloa, who during the one hundred and sixty years from the discovery of the peninsula and Father SALVATIÉRRRA’s expedition, sought for them among the islands, gulfs, bays and ports of the eastern side of the gulf, compelling the Yaqui and Mayo Indians to work for them. The missionaries forbade, under severe penalties, the mariners and soldiers in the service of the mission to fish for pearls; but this prohibition was abrogated in 1768, when most of the Jesuits were exiled. GALVEZ made the first regulation concerning pearl fisheries, and charged the Captain Governor of Loreto with its execution. The duty of twenty per cent. imposed upon pearls, as belonging to the articles classified as

precious stones, was paid up to 1835. The business of pearl diving is now charged with an exportation duty of twenty-five per cent. on each one hundred pounds of shell. (Decreed April 28, 1855.) The season for pearl diving begins in May and lasts until about the end of October—that is, during the warm months, and while the sea is transparent. The fisheries are divided into three sections—the northern one, *Mulége*; the center one, *Loreto*; the southern one, *La Paz*. From Mulége boats start for Conception Bay and Santa Ines Point. The best fisheries in this section are at Guadalupe, Las Hornillás, Santa Domingo, Amolares, Pocitos, Manglito and Punta Ines.

From Loreto boats sail to the Islands of Carmen, Coronado, Monserrete, Danzantes, Puerta Escondido, Islotes, San Bruno and Arroyo Hondo.

Those from La Paz sail south for Cubu Plumo, (the last southern fishery,) thence north to Las Tinias, Punta Arenas, El Medano, Boca de la Salina, Tepetates, Ventana, El Pozo, Rosario, Coyote, Caval de San Juan, Nenomucevo, Esperitor Santo and San José.

The business of pearl diving in 1855, of which an exact account was kept, employed twenty-five companies having three hundred and sixty-eight divers, eleven small schooners, nine boats and fifty canoes. The capital invested did not exceed \$25,000. The results were as follows:—

690,000 pounds of shell, valued at 6 cents,.....	\$41,000 00
The pearls obtained from the shell sold for.....	23,800 00
Amount,	\$64,800 00
Deduct original outfit,.....	25,000 00
Net profit,.....	\$39,800 00

Father CLAVIJERO in his manuscript says that Don MANUEL DE OZIO, a discharged soldier from the presidio of Loreto, and at that time the wealthiest man in California, obtained in the years 1742 and 1743, four hundred pounds of pearls, but does not state their value. In another manuscript is found the following:

“ When pearls were first discovered, about the end of the sixteenth century, many of the inhabitants of New Galicia, Culiacan

“and Sinaloa made fortunes by diving for them. Don MANUEL DE OZIO, a soldier, son-in-law of the Captain Governor of California, obtained his discharge and went to New Galicia. He there invested all his capital in purchasing a ship, obtaining divers and everything required for pearl fishing. The first year he increased his facilities, and the following year obtained one hundred and twenty seven pounds of pearls; which though a good result, did not compare with that of the year 1744. By this means he acquired a large fortune.”

COPY OF A REPORT

*Showing the IMPORTS and EXPORTS during the Year 1857,
according to the official data.*

Foreign goods imported, amounted to.....	\$ 68,000 00
Domestic goods “ “ “.....	50,000 00
	<hr/>
	\$118,000 00

TERRITORIAL EXPORTS.

Hides,	13,000 pieces, valued @ 25c.	\$32,500 00
Salt,	2,000 tons.....	12,000 00
Cheese,	100,000 lbs., @ 8 cts.,.....	8,000 00
Dried Meat,.....	11,000 lbs.,	660 00
Brown Sugar,.....	28,500 lbs., @ 12½ cts.,.....	10 980 00
Dried Figs,	32,500 lbs.,	1,300 00
Raisins,	28,500 lbs.,	2,200 00
Soap,	2,610 lbs.,	2 610 00
Wine,	54 bbls.,	540 00
Dates,	20,000 lbs.,	1 200 00
Oranges,	22,000 M.,	220 00
Salt Fish,.....	1,150 lbs.,	69 00
Brazil Wood,.....	150 tons,	3,000 00
Silver Ores,.....	250 tons, cost,	5,000 00
Silver,	2,000 marks,	16,000 00
Gold,	80 ounces,	1,120 00
Tortoise Shells,	300 lbs.	6,000 00
Pearls,	Value,	21,750 00
Mother of Pearl (Concha), 495,700 lbs., @ 6 cts.,.....		29,742 00
		<hr/>
Total amount of exports,		\$154,891 00

It can safely be said, though positive data are not now at hand to prove the assertion, that the imports and exports during the last three years have increased to ten times the amount mentioned in the foregoing report, in consequence of the enormous discoveries of mineral wealth which have lately attracted the notice of the miners and capitalists of the Pacific coast.

Copy of a Letter to the "Alta Californian."

OUR LETTER FROM LA PAZ, LOWER CALIFORNIA.

[From the Resident Correspondent of the ALTA.]

LA PAZ, February 17th, 1865.

THE CESSION QUESTION.

EDITORS ALTA: Lower California, for its geographical position; for its numerous spacious bays and safe harbors; for its mineral wealth; for its salubrious climate, and being as it is, the key to the outlet of the Colorado basin, is worth millions to the United States. How, then can our Government tamely submit to see it pass into the possession of France? Have we not claims against Mexico, the payment of which are more just and longer delayed than those put forth by France, and brought on by her own aggressions? What Florida is to the Gulf of Mexico and the Mississippi River, is, and more necessary, too, the peninsula of Lower California to our commercial prosperity in the Pacific Ocean.

BAY OF MAGDALENA.

Few persons in California are aware of the importance and extent of the Bay of Magdalena, its safe and easy entrance, its numerous

arms and lagoons, comprising hundreds of miles of inland navigation, with wealth enough swimming in its waters to employ a large population, thousands of whales yearly bring forth their young upon its banks ; millions of turtle lay their eggs upon its shores, while its prolific waters teem with myraids upon myraids of every class of fish.

THE GULF COAST SHORE.

The gulf coast of the Peninsula, from La Paz in latitude 24, to San Luis in latitude 30, is indented with numerous safe bays and harbors. Neither is lower California the dry and barren country it has credit for being. There are many places where grain could be raised with proper cultivation. Since August we have had occasional showers, and now the grass is quite green and abundant. The necessity for steam machinery to pump our mines proves that the hills are not without a good supply of water. Besides the mountain streams, that sink in the loose soil as they reach the sandy flats, we have many fine springs. Those at San José and Todos Santos irrigate thousands of acres. In the large valleys of South San Bruno and Magdalena, the latter near Molega, there are evidences of extensive fields having formerly been cultivated, and probably without irrigation, as the soil is always moist, and water can be found but a few feet from the surface. The climate is favorable for the cultivation of cane and maize, and oranges, dates, olives, figs, and the vine, thrive as well as in any part of the world. Cotton is indigenous, and as to the climate nothing can be more delicious than the temperature from October to June, July, August and September. Although warm in the day, the nights are cool and comfortable.

ITS MINERAL WEALTH.

The most important interest of the peninsula is its mineral wealth, and the convenience of most of the mines to the seaboard materially enhance their value. Of the numerous companies formed, many have been unsuccessful, but not for the want of good veins or rich ore ;

they were created at the time of greatest excitement in San Francisco, when the formation of a company was considered of more importance than the possession of a paying ledge. Probably half have caved in from this cause; of those remaining, and who really have good veins, there are many that were only formed for speculative purposes—they manage to keep a superintendent and a couple of men employed. If a person knowing the value of the property buys stock, he soon comes to the conclusion that the assessments and proceeds of the metal taken out disappear so rapidly, without any apparent development or prospect of future benefit to the mine, that he abandons his stock. These companies never intend to develop their mines—probably some parties make something out of them.

COMPANIES AT WORK.

The Mexican Company, now in operation about six years, and working the mines of San Pedro and San Nicolas, was the first company formed to work mines in Lower California. Mr. Flores, the able Superintendent, entered upon his duties furnished with a letter of credit for \$5,000, and which enabled him to make a shipment to Freyburg of 300 tons of ore against which he drew to replace his funds. The stockholders have never paid any assessments, and now divide from sixty to seventy thousand dollars annually. The ore averages about \$150 to the ton. Neither mine has been worked more than thirty feet below the surface, and but few men are ever employed. The pay rock is from two to ten feet in thickness.

THE TRIUNFO COMPANY.

The owners of these mines, Carmen, Mendoza & Valenciana, have spent about \$100,000 to open their mines and build their mill, and are now working \$100 rock. They were particularly fortunate in the selection of their superintendent, Alexander McElvoy, Esq., who, arriving here when there was no wagon road from the coast, and no teams to haul his machinery, had many difficulties to contend against enough to discourage a less energetic and persevering man. The Company had sent down an incompetent metallurgist,

who, when the mill commenced operations, failed to extract the silver, a less determined man would have hesitated to interfere with a distinct department. Fortunately, in Sañ Antonia was Mr. Youngjohn, a Freyburg graduate. Judge McElroy mounted his horse, rode to San Antonia, met Mr. Youngjohn and asked him, "Can you beneficiate our metals?" The reply was "yes." "Then come to Triunfo, I want you." The result was a splendid success, the news of which, in a few days, went to San Francisco, perhaps saving from ruin more than one stockholder.

OTHER MINES, ETC.

The Peninsula and Santa Cruz companies both appear to be pushing their work along with a determination to develop their mines. Both have steam pumps in operation. The Santa Cruz are shipping about one hundred tons by every steamer. The Peninsula have not yet struck their vein, but having drained the old works will soon take metal therefrom.

The Marin Company are ready with their furnace and a four-stamp mill, and expect to send by next steamer about five thousand dollars. A number of other mines are getting into operation, some owned by new companies formed in New York.

Our peninsula is rich in other minerals besides gold, silver and copper; we have abundance of iron ore, of the finest quality, convenient to the seaboard, and paying as high as seventy-five per cent. Veins of black oxide of maganese, beds of alum, asphaltum, sulphur, gypsum and alabaster: pearls in the sea; fish in boundless shoals, and whales visit our bays and harbors on both shores annually. If with all these sources of wealth, our unsurpassed climate, and the advantage of our geographical position. Lower California is not worth looking after, why then I suppose we must slide over to Napoleon, Gwin, etc.

A large majority of the native population are opposed to the French and intervention, but all parties would hail the prospect of the peninsula becoming a part of the United States.

We were shown a very rich specimen of silver ore, a few days since, from the "La Libertad" silver mine, located in the Cacahillas District, Lower California and distant some six miles from Vetana Bay and sixteen miles from La Paz. This mine was purchased about two years ago by Col. Leese, from a Mexican who had taken from the croppings upwards of \$90,000. A company was formed in this city about eighteen months ago, to work the claim which consists of 2622 feet. A tunnel has been cut at right angles to the main lode, on the water level, 200 feet in length, with a good air shaft. A spur of excellent ore has been struck in the tunnel about 20 feet from the main lead, from which the specimen above alluded to was taken as a sample, and which, assayed by Messrs Riehn & Hemme, was found to contain at the rate of \$3,961.77 in silver, and \$43.32 in gold or \$4,005.54 to the ton of 2,000 pounds. The specimen, until after the assay, was not considered of extraordinary richness, being taken as a mere average specimen of the vein. As the Mexican law allows rough metal to be exported from Lower California, the product of this mine can all be forwarded to Swansea at a small expense, and if the main lead is of the same character as the spur in the tunnel, the La Libertad will be one of the richest mines in the world.

The grant referred to in the preface under which it is proposed to colonize the peninsula of Lower California, is hereto appended, for the information of parties desirous of investigating its merits or legality; also the conveyance from the grantee, under which a company has been organized.

AGENCY OF FOMENTO OF LOWER CALIFORNIA.

Seal of the second class, for the bieño (two years) of 1862 and 1863.

Señor Agent of Fomento of Lower California. Jacob P. Leese, and Santiago Viosco, citizens of the United States of North America, the first a ranchero, and a resident of the city of Mon-

terey, in Upper California, and the second a merchant and a resident of this city, represent to your Honor, through the medium of the present petition, that being impressed with the imperious necessity which the Country has, in order to promote its advancement and improvement, to encourage by all means possible, an emigration composed of worthy and industrious artizans; this being the source of the improvement and progress of every country, and especially of one so sparsely inhabited as this. In consideration of the foregoing; and with the object of cultivating a large portion of the vacant lands of the Territory, as well also to establish in the same one or more colonies, and settle them with such a number of families and industrious and worthy persons as may be necessary to carry out the object proposed, relying upon the belief that your Honor would give your approbation to the laudable end proposed, they have formed, in the City of San Francisco, of Upper California, a Company of Empresarios, composed of the Messrs. Samuel J. Hensley, agriculturalist, Samuel Brannan, proprietor, John Parrott, banker, A. B. Forbes, *haciendado*, Henry E. Robinson, agriculturalist, S. W. Inge, lawyer, E. Wakeman, captain of steamer, W. Norris, miner, John Sime, banker. John Caperton, agriculturalist, Jesse Holladay, merchant, Louis McLane, banker, J. W. Winans, lawyer, and John H. Baird, merchant, all citizens of the United States, and residents of that city (San Francisco).

Of the reality and representation of the persons composing the Company, your Honor is well assured by the very similar petition which the said gentlemen themselves presented to the Territorial Government, which petition, for want of conformity to the established laws, was returned to them; this being the reason why this petition is made, endeavoring by these means to avoid the difficulties which might be occasioned by delay, in case they were required to go to San Francisco for the purpose of reforming the same, being able to give every assurance that they are fully authorized to make use of the names of the persons represented.

The Company has already associated a large number of Colonists, some with families, and some without any, the total number

of which will exceed that which your Honor may think proper to designate, in the concession which is sought to be obtained.

Said colonists are industrious, active and robust citizens of the United States, and are by profession laborers, artisans and operatives, who are ready to change their residence, with the view of improving and cultivating the lands referred to by the petitioners, which colonists, besides the advantages derived from the fruits of their labor, and the increase of the population which they will produce, by their good example, will stimulate, in the other inhabitants of the country, a desire to imitate them, and will create, from the lands settled and fertilized by them, a fountain of commerce and riches for the nation, and a powerful barrier against the incursions and depredations of any hostile force, operating also as a school of civilization, not only for the few aborigines of that region, at present so sparsely populated, but even for those that are found in the scattered missions which have for a long time existed without prosperity; and the petitioners flatter themselves, in the certainty they feel, that the indefatigable efforts of these colonists will produce the most beneficial results, as well as regards the projected colonization, as to advantages of much importance to this Territory.

All of these reasons have induced the petitioners to encourage the foregoing project of colonization, which, at the same time, will be productive of so much benefit to the Territory, and, generally, to the Supreme Government of the Republic. These reasons, as well as those of personal interest, are those that have influenced them to ask your Honor to be pleased to concede to them, in consideration of their colonizing the lands conceded, under the conditions and of the extent that may be determined by your Honor, subjecting themselves to the laws and regulations in force in the Republic, the whole of the vacant lands of the Territory of Lower California, comprised between the thirty-first degree of North latitude to the South, as far as twenty-four degrees twenty minutes North latitude, forming a right angle with the North point of the Island of San Jose, on the side of the Gulf, embracing the Southern

portion of the Peninsula, from the said thirty-first degree of North latitude, as will be more clearly seen by the maps accompanying this petition ; and that it be, with all its limits, coasts, islands and pertencancies, privileges, exemptions, regalias and other rights, corporeal and incorporeal, and especially the lands and islands in the neighborhood of, adjacent to, and surrounding the Bay of Magdalena, with all their pertencances, privileges, exemptions, regalias and other rights, corporeal and incorporeal, excepting from the lands contained in said concession, all those portions and parts of the same, which, at any time anterior to the date of the concession now asked for, may have been adjudicated, or conceded to any other persons, villas or incorporated pueblos, by any concession or title which may at present be legal.

And the petitioners protest to your Honor, and to the Mexican Nation, that they will strictly and faithfully comply with all the laws of Colonization that are in force, to which they may be subject by virtue of the said concession, and also all the rules which the same may impose upon the Company.

They also set forth, that it will be necessary and indispensable, as well for the interest and benefits which will result to the Country from this concession, as for the particular interest of the Company, that the Port of the Bay of Magdalena shall be open to the Commerce "*de altura*" with all the privileges and exemptions enjoyed by all others of the Republic, saving the privileges which in particular are to be enjoyed by the Colonists ; and the Port of San Felipe, situated on the Gulf, in the 31st degree of North latitude, for the Coasting trade, submitting the utility of this proposition to the superior knowledge of your Honor, to the end that you may report to the Government the great importance of this measure to the National Treasury, the interest of the Colonists, and to the Peninsula in general.

Wherefore, they pray your Honor, that in exercise of the powers with which you are invested, and in consideration of the effect it may have directly or indirectly upon the public confidence, to be pleased to accede to this petition, interposing at the same

time, your powerful influence with the Superior Government of the Territory and with the Supreme Government of the Nation, for the purpose of obtaining from the same, as soon as possible, its superior approbation, by which your petitioners will receive a very particular favor, and the Territory and the Republic a powerful impulse in the advancement of its agriculture, commerce, population, riches and national strength.

JACOB P LEESE,
SANTIAGO VIOSCO.

PORT OF LA PAZ, March 11, 1863.

Agency of Fomento of Lower California :

Let this petition be forwarded to the Citizen Political Chief of the Territory, in order that in conformity with the requirements of the circular, No. 102, dated June 9th, 1856. he may inform this Agency, if he considers the projected colonization advantageous or prejudicial to this Peninsula.

LA PAZ, March 17th, 1863.

By the encargado of the Agent of Fomento.

MAN'L CLEMENTO ROJO.

SEAL OF THE POLITICAL GEFEFACTURA OF THE TERRITORY.

To the Citizen Agent of Fomento :

In conformity with your resolution of the 17th instant, and in compliance with what is ordered in circular No. 102, of the 9th of June, 1856, I proceed to make the report that you desire upon the petition of Jacob P. Leese and Santiago Viosco, who for themselves, and representing many other persons, expressed in the same petition, present themselves, denouncing all the vacant lands situated between the 31st degree of North latitude to the south as far as 24 degrees 20 minutes, with latitude forming a right angle

with the north point of the Island of San Jose, on the side of the gulf.

The petition includes besides, all the coasts, islands and pertences belonging to the Territory, situated within the degrees referred to. I have to remind you that in relation to the vacant lands that may exist within the limits designated, from the 24th to the 27th degree, the extent must be small, especially on the eastern side of the Peninsula, where are situated the municipalities of La Paz, Comondu and Mulegé, which comprehend all the space which is embraced by the lands between the 24th and 27th degrees and some minutes; there are probably very little or no vacant lands in this portion, unless it may be a small portion on the western side.

From the 27th degree of North Latitude, to the 31st, the country is a desert, uninhabited, there being but three indians, exceedingly old, in the ex-mission of San Borgas, and I know not if there be any in that of San Fernando; those are the only inhabitants of that portion of country, from one coast of our Peninsula to the other.

It would be useless to show the positive advantages which would result to the Government, and to the country in general, from the settlement of these deserts; it is sufficient to say, that there may be established some pueblos of consideration, and the time would not be remote, as has been shown by experience, when there could be found within the bowels of the mountains of that region, mines of gold, silver and copper, so rich as to make this one of the most important points of the Republic, besides, it is necessary that, if the new settlements that are founded are to be composed entirely of foreign families, while it is true that it would contribute to the advancement of the country, yet it would, with reason, be resented by the Mexican citizens, who have an unquestionable right to establish themselves with their property, on any portion whatever of the vacant lands of the country. Hence, although up to this time the colonization of this part of the peninsula has not been commenced, perhaps for the want of enterprise among

our people, still the Government must provide for the case, and assure them of its protection, whenever the future success of the Territory may stimulate in them a desire to acquire property in those points; it is also necessary to provide in the concession against all cases that in time might give cause for unjust reclamations against the Government by foreign citizens.

With this view of the matter, I am of opinion that the colonization referred to will be beneficial, yet, that the concession cannot be made, save under the following conditions :

1st. The empresarios shall colonize the vacant lands situated between the 24th and 27th degrees of latitude, respecting the properties previously acquired by Mexican citizens, although they may not have received confirmation of their titles, it being sufficient to entitle them to preference, that they have the possession, real, corporeal *quasi*, of the lands they claim; this is understood in relation to the lands which were conceded or occupied before the Government may accede to this petition, but not to the occupations which may be made afterwards. in fraud and with prejudice to the same.

2d. The land embraced between the 27th and 31st degrees of latitude will be conceded in all of its extent, for the said colony, reserving in the same one-fourth part for the Mexican citizens, who may solicit the same in property. The same fourth part, the Mexicans will also be entitled to, in Solares in all and each one of the new villages which may be established by the colonists

3d. Of all the mines that may be discovered by the colonists, between the 27th and 31st degrees of latitude, five per cent. of the profits will be paid to the Government.

4th. The colonists shall freely engage in whale fishing and seal hunting throughout the whole extent of both coasts of the Peninsula paying the duty that the Supreme Government may designate for every barrel or ton of oil.

5th. For every square league of land that may be occupied by the enterprise of colonization, there shall be paid at the rate of two hundred and fifty dollars, this being the mean between the bad, the good and the best; but the fourth part belonging to the Mexican citizens, shall be paid for by themselves, on their own account.

6th. Of each one of the villages that may be established, there shall be drawn a plan, at the expense of the empresarios, a copy of which shall be forwarded to the Governor of the Territory for his information.

7th. Within the term of five years, counting from the day on which the Supreme Government may approve and concede the colonization asked for, the empresarios shall introduce into the Territory at least two hundred families of colonists.

8th. The salt works (salinas) of the Island of Carmen, Ojo de Liebre and San Quintin, which are now being developed, shall not be conceded, nor those that in the future may be discovered, but they shall always be the exclusive property of the National Government, and in case the same shall rescind the contract which it has made for the sale of the Island and salt works of Carmen in favor of Don Fortunato de la Vega the empresarios, at the time of the approbation, which may be made by the Supreme Government of the colonization enterprise, will pay the sum of forty thousand dollars.

9th. Upon the expiration of the time stipulated in the contracts entered into with the empresarios for the development of the Salinas of the Island of Carmen, with those of the Ojo de Liebre and San Quintin, the development will be made on account of the empresarios of the Colony, paying three dollars for every ton of salt that may be extracted, from which three dollars the empresarios will reserve twelve rials for the extinguishment of the debt of forty thousand dollars, which they are to pay the Government, in accordance with the foregoing article.

When the debt shall have been extinguished, the empresarios of the colony will continue to work the Salinas of Carmen, Ojo de

Liebro and San Quintin for the term of fifteen years, still paying three dollars for every ton of salt extracted. On the expiration of this term, the Government will be at liberty to again lease the Salinas either to the same empresarios, or to any others that may offer more advantageous terms. It being understood the improvements that may have been made by the empresarios in either of the said Salinas will remain to the benefit of the Government, at the expiration of the term of fifteen years above mentioned.

10th. As soon as the Supreme Government may approve the project of colonization, the empresarios will advance the sum of three hundred thousand dollars on account of the value of the lands to be colonized, of which there will be paid into the General Treasury of Mexico, the sum of two hundred thousand dollars, and one hundred thousand dollars into the Treasury of this Territory, to be employed in material improvements of the Country.

11th. The Colonists will enjoy full religious liberty, and be entitled to all the rights and guarantees which the political constitution of the Republic of 1857 has declared to be the rights of man.

12th. The colonists shall be at liberty to establish all institutions that they may consider as necessary for the development of intelligence, for the establishment of good and moral customs, and for all things relating to their interior government, respecting and subjecting themselves to the requirements of the constitution and general laws of the Republic.

13th. The colonists cannot, in any case, make use of the right of foreigners in order to establish claims against the nation, in relation to the properties which may be conceded to them; being required to subject themselves to the decisions of the Federal Tribunals, in any case in which they may be compelled to avail themselves of their rights in order to obtain justice.

14th. All clothing and every class of tools and utensils that are introduced for the exclusive use of the colonists, as well also as al

provisions, and o her necessities of life, shall be free of duty for the term of ten years.

For the same time the colonists shall be exempt from all imposts, and all other kinds of contributions.

15th. The colonists shall always be excepted from serving in the army, unless they should voluntarily offer to do so, when the national honor is at stake, and they shall never be molested in the intestine revolutions which may arise; but they may serve as a home guard, for the security which should exist in all of the new settlements that may be established, in order to preserve order among themselves.

16th. The colonists shall freely elect the local authorities which are to govern them, always obeying the authorities of the Territory in all cases where it may be necessary to apply to the same for relief in any matter.

Article Transitory. Whenever the empresarios shall fail to comply with any one or more of the conditions herein stipulated, within the time and in the manner prescribed, the concession shall become null, and of no value or effect, even though the empresarios may have advanced the sum mentioned in article 8 and 10 of this report; in which case the empresarios shall be indemnified for the forty thousand dollars mentioned in article 8, with the half of the product of the Salinas for the time that may be necessary to discharge said sum; and with twelve hundred square leagues between the 27th and 31st degrees of latitude, shall be paid the three hundred thousand dollars mentioned in article 10, it being understood, that at the expiration of twenty years, from the date of the ratification of this contract, no one of the empresarios can have more than three square leagues, but they can sell all the lands pertaining to the twelve hundred square leagues, taking care not to sell to one person more than three leagues.

Under these conditions, I am of opinion that you can make the concession, making as a necessary condition, that the whole of this

contract may be seen, modified, amended or rejected by the Supreme Government, to which it will be forwarded for its approval or disapproval.

PEDRO M. NAVARRETTE.

LA PAZ, March 26, 1863.

A copy of the original on file in the office of this Agency of Fomento, from which it has been faithfully taken.

MAN'L C. ROJO.

LA PAZ, March 28th, 1863.

This is a copy of the Expediente on file in the office of this Agency.

MAN'L C. ROJO.

LA PAZ, March 31st, 1863.

PEDRO MAGANA NAVARRETTE, Superior Political Chief of the Territory of Lower California :

I certify, that the citizen, Manuel Clemente Rojo, is the officer in charge of the Agency of Fomento, and that the copy signed by him, is really authorized by the signature that he is accustomed to use in all of his official acts.

PEDRO M. NAVARRETTE.

LA PAZ, March 31st, 1863.

I, the undersigned, U. S. Consul for Lower California, do hereby certify, that the foregoing are the true and genuine signatures of Manuel Rojo and Pedro M. Navarrette, and as such are entitled to full faith and credit.

Given under my hand and the seal of this consulate, the 4th of April, A. D. 1863.

F. B. ELMER,

U. S. Consul.

AGENCY OF FOMENTO OF LOWER CALIFORNIA.

To the Citizen Minister :

I have the honor to forward to you a copy authorized by myself, of the Expediente which has been formed in this Agency, in virtue of a petition of the Messrs. Jacob P. Leese and Santiago Viosco, who for themselves, and representing the Messrs. Samuel Hensley Samuel Brannan, John Parrott, A. B. Forbes, Henry E. Robinson, S. W. Inge, E. Wakeman, W. Norris, John Sime, John Caperton, Jesse Holladay, Louis McLane, Jos. W. Winans, and Jos. H. Baird, solicit in colonization all the lands and all the islands, coasts and other things annexed, on both sides of this Peninsula, that are vacant, from the 31st degree North latitude, south as far as 24 degrees 20 minutes of latitude.

The petitioners ask that the Bay of Magdalena, on the western side of the Peninsula, and the ancient port of San Felipe de Jesus, be declared ports, the first for commerce "*altura*" and the second for coasting trade.

For this purpose the petitioners present a map with their petition, embracing the country from Cape St. Lucas, as far north as the 32d degree of North latitude, of which map I enclose a copy, together with another on a large scale of the Bay of Magdalena.

The report given by the Citizen Political Chief of the Territory upon the subject is exact and important. and in my humble opinion the occasion is very propitious for procuring the emigration of industrious families to settle the deserts of Lower California.

As the petitioners ask for a territory of colossal proportions, together with Islands and the opening of ports, which this Agency is not authorized to concede to any one, I have deemed it prudent without going beyond the scope of my authority, to form this expediente, in order that the Supreme Government, in view of the same, may accede to or deny the prayer of the petitioners.

What I can assure you without fear or mistake is, that the individuals figuring in the body of the petition are almost all capitalists, and represent property exceeding in value ten Millions of Dollars ; some of them have lived in the Republic and have

strong sympathies with Mexico, especially Don Jacob P. Leese and Don Santiago Viosco, who are married with Mexicans and have Mexican children.

The present war in the United States of America has compelled the Government of that Republic to impose such heavy contributions upon capitalists, that many are of the opinion that if the present order of things continues, before the expiration of four years, the greater portion of property owners will be ruined.

This idea has been so prevalent in Upper California that a large majority of the men of fortune are endeavoring to secure their capital in different enterprizes on the coasts of Mexico ; from this cause during the last few months we have seen introduced in the Ports of Mazatlan, Guaymas and Lower California a variety of machinery for mining purposes and for sugar canes, belonging to American citizens in San Francisco, new enterprizes calculated to give an impulse to the country in the various branches of industry, especially that of mining, by means of large associations.

Our Peninsula occupies for commerce a situation the most advantageous that could be desired, situated between the Gulf of Cortez and the Pacific Ocean, having on both sides many secure ports and adjacent Islands, with a multitude of natural productions, among which may be enumerated salt, guano, the pearl oyster, whale, otters, seals and sea elephants, all in prodigious abundance.

The lands of the Peninsula are generally of a very good quality, and although wanting in a supply of water, still with the aid of Artesian wells they will produce cotton, sugar cane, coffee, the vine, the olive, wheat, and indeed all kinds of grain ; the greater portions of the mountains are full of veins of the minerals of gold, silver, copper and iron, volcano of sulphur being also found.

All this, Citizen Minister, proves that Lower California is a country privileged by nature, and that when it shall receive the aid of industrious hands, far from living, as now, at the expense of the national Treasury, it will arise from its present prostrate condition, and become a country, rich, flourishing and happy.

Liberty and Reform.

MANUEL CLEMENTE ROJO.

LA PAZ, March 31st 1863.

This is a copy of the original, which I certify is being on file in the archives of this Agency.

MAN'L C. ROJO.

LA PAZ, March 31st, 1863.

Agency of Fomento of Lower California.

PEDRO MAGARA NAVARETTE, Superior Political Chief of the Territory of Lower California.

I certify that the Citizen Manuel Clemente Rojo, is the officer encharged with the office of the Agency of improvement, and that the copy signed by him, is really authorized by the signature which he is accustomed to use in all of his official acts.

LA PAZ, March 31st, 1863.

PEDRO M. NAVARRETTE.

I, the undersigned, U. S. Consul for Lower California, do hereby certify, that the foregoing are the true and genuine signatures of Manuel Rojo and Pedro M. Navarette, and as such are entitled to full faith and credit. Given under my hand and seal this 3d day of April, A.D., 1863.

F. B. ELMER,

U. S. Consul.

(TRANSLATION.)

DEPARTMENT OF THE
MINISTER OF JUSTICE, IM-
PROVEMENT AND PUBLIC
INSTRUCTION.

A report having been made at a meeting of the Ministers, of the business in relation to the colonization of Lower California, the citizen President of the Republic was pleased to direct, that although the propositions made by Don Severino Comis and Don Santiago Hervetson are more advantageous than yours, in respect to the sum which they offer to deliver to the Supreme Government, yet as on one side there is given no guarantee of any kind whatsoever, that the business will be carried into effect, and on the other side is to be taken into consideration the fact of the probabilities of the colonization of Lower California, rather than motives of pecuniary interest, preference should be given to the propositions offered by you, by reason of the circumstance of their being made in the name of a company already formed and composed, according to the testimony of the Agent of Fomento (improvements) of lower California, of persons almost all of whom are capitalists, and represent the amount of more than ten millions of dollars, some of whom having lived in the Territory of the Republic, and manifested strong sympathies for Mexico, and others having wives and children that are Mexicans; whilst the other propositions of Messrs. Comis & Hervetson give to understand that they two, alone, form the company charged with the colonization of California, and that for the same reason it would be after they had obtained the grant from the Government that they would endeavor to seek the necessary partners for the realization of the enterprise.

In view of all of which, the citizen President has directed that the propositions of Messrs. Comis & Hervetson be not accepted, and that those made by yourself be accepted, and the terms of the defi-

nite arrangement which is going to be entered into being already agreed by both parties, and are such as appear in the annexed draft.

Independence, Liberty and Reform.

(Signed) YGLESIAS.

SALTILLO, March 30, 1864.

C. JACOB P. LEESE,
Present.



The citizen José Ma. Yglesias, Minister of Fomento of the Mexican Republic, with the previous express direction of the citizen, the Constitutional President of the same, and Jacob P. Leese, a citizen of the United States of America, in the name of the partners who compose the Company of Colonization of Lower California, have agreed to the following clauses for the colonization of the vacant lands of the Peninsula, from 31 degrees of latitude North in the direction of the South to 24 degrees and twenty minutes of latitude :

1st. The "empresarios" (managers) will colonize the respective vacant lands of that tract, respecting the property previously acquired by Mexican citizens by birth, whether they have or not the confirmation for their titles, the real corporeal occupation or quasi occupation of the lands which they may claim being sufficient to give them preference, this being understood with regard to the property granted before the Government complied with this petition, but not so with the occupations that might be made afterwards, with fraud, to the prejudice of the same.

2d. The lands comprehended between the twenty-seventh degree and the thirty-first of latitude, are granted in all their extent for the

claimed colony, reserving therein one-fourth part for Mexican citizens by birth who might solicit the property thereof. These will also have one-fourth part in the lots in all and each of the new towns which might be founded by the colonists.

3d. All the minerals, of whatsoever class, that may be found in the granted vacant lands, will be worked by the colonists in accordance with the provisions of the ordinances and laws in force in the Republic in reference to mining operations.

4th. In relation to the fishery of whales and seals in all the extent of the coast of the peninsula, the colonists will subject themselves likewise to the provisions of the respective laws in the matter.

5th. Every "Sitio de ganado mayor" (square league) that shall be occupied by the Company of Colonization, will be paid for at the rate of one-third part less than the price of the tariff, as a mean term among the bad, the good and the best. The fourth part that may correspond to the Mexican citizens by birth, will be paid for by them on their own account.

6th. Of each one of the towns that may be in the progress of being founded, there will be made a plan on account of the "empresarios," of which a copy will be forwarded to the office of the Minister of Fomento, and another to the Government of the Territory of Lower California, for the cognizance thereof.

7th. Within the term of five years, reckoned from the day of the approval of this project of colonization, the "empresarios" will introduce in the territory, two hundred colonizing families at least.

8th. The salt works of the "Ojo de Liebre" and "San Quintin," which at present are rented by the Government, when the existing contract shall have expired, will be rented to said Colony for the term of twenty years, with the condition that there will be paid to the Government twenty rials per ton, of salt that shall be exported from the salt works aforesaid.

9th. The colonists shall enjoy liberty of religious worship and the rights and guarantees which the political constitution of the Republic of 1857 has declared as the rights of man.

10th. The colonists shall be independent in their municipal administration, in virtue of which they will be empowered to freely frame all the institutions they may consider proper for the development of their intelligence, and of their morals and good manners; to make regulations for the Government of their respective municipalities, provided they do not conflict with the Constitution and general laws of the Republic; to freely elect their authorities; establish municipal taxes and promote and execute all the material improvements proper to the welfare of the colonies, simply giving information of all to the Political Chief of the Territory, and subjecting themselves to the obedience of the authority thereof, in all those things wherein it might be necessary to apply thereto, and ask relief for any of the parties.

11th. As soon as the colonists shall be established in any part of the Territory, they will be considered as Mexican citizens, with the same rights and obligations as Mexican citizens by birth, and only with the temporary exemptions which are granted to them to ensure the foundation of the colonies.

12th. All the effects of wearing apparel, all classes of iron tools that might be introduced for the exclusive use of the colonies, as well as all the provisions and things necessary to preserve life, shall be free from duties for the term of ten years.

13th. For an equal period of time shall the colonists be exempt from paying for all classes of imposts and taxes, except the municipal contributions which they themselves may establish.

14th. The Colonist are exempt for five years from service in the National army; but after that time, they will render their services therein, like all the other Mexican Citizens, with entire subjection to the provisions of the recruiting laws. The said Colonists will be under the obligation of serving in the National Guard of each one of the towns they may establish, with the view of keeping order in them.

15th. Twenty years after the foundation of the Colonies, the lands which are granted to the "empresarios" must be divided in such a manner that each Colonist may not possess more than three square leagues.

16th. The "empresarios" will advance the sum of one hundred thousand dollars, on account of the price of the lands they are to Colonize, delivering at the term of one hundred and twenty days after signing this agreement, the said sum, in American gold, in San Francisco, California, to the Mexican Consul at that port, or to the person whom the Supreme Government may opportunely designate.

17th. If the "empresarios" should not fulfil some or any of the conditions stipulated in the time and form prescribed, the concession shall be null and void and of no effect, even though they had delivered the sum advanced, which is spoken of in the preceding article, in which case they will be indemnified with five hundred square leagues (Sitios de ganado mayor) between the twenty-seventh and thirty-first degrees of latitude, with the particular understanding that at the term of twenty years from the ratification of this contract, none of the empresarios will be able to hold more than three Sitios in property, each of them being authorized to sell within the term of twenty years, all the lands that may properly appertain to them, but with the condition of not giving more than three "Sitios de ganado mayor" to one sole person.

18th. Within four months from the signing of this agreement, the representative of the Colonizing Company of Lower California shall present himself to ratify and accept in the name of said Company all and each one of the clauses contained in the said agreement, in order that from that time it may be obligatory on the part of the Company, in the name of which Mr. Leese has made the said agreement.

In due witness whereof we sign the present agreement in duplicate, at the City of Saltillo, the Capital of the State of Coahuila, on the thirteenth day of the month of March, One thousand eight hundred and sixty-four.

(Signed)

JOSÉ M. YGLESIAS,
JACOB P. LEESE.

THE OPINION OF HON. ROBERT J. WALKER.

New York, Jan. 25, 1865.

SIR:—I have examined the paper submitted by you, purporting to be a copy of a Colonization grant by the Republic of Mexico, on the 30th of March last, for the vacant lands in so much of the Peninsula of Lower California as is embraced between the parallels of thirty-one degrees and twenty-four degrees twenty minutes North latitude.

In compliance with your request, I proceed to give you my opinion as regards the title.

The grant, in my judgment, is in conformity with the laws of Mexico, and is valid, subject to the following contingencies:

1st. Did the Republic of Mexico exist as a Government at the date of the grant?

At that date, the Government of Mexico by which the grant was made, was then and still is acknowledged in due form by the President and Congress of the United States, as the only existing Government of Mexico.

It has been decided by the Supreme Court of the United States, that such an acknowledgment is conclusive in all our judicial tribunals, and therefore so far as our Country is concerned, the grant is valid.

How far this grant would be regarded as valid by Mexico, is a question to be decided probably by the sword. If the Imperial usurpation by Maximillian, sustained by foreign bayonets, should be successful, this grant would probably not be protected by such a Government. It is my opinion, however, that such a usurpation is in direct conflict with the settled policy of this country. It is now forty years since, upon the unanimous recommendation of his Cabinet, of which John Quincy Adams was then the Premier, that this doctrine was announced in the memorable message of James Monroe, then President of the United States, and was sustained, with great unanimity, by Congress and the Country.

This doctrine was first suggested to Richard Rush, then our excellent Minister at the Court of St. James, by the illustrious Canning, then the British Secretary of State for Foreign Affairs. Mr. Rush communicated this suggestion of Mr. Canning, with his consent, to John Quincy Adams, then our Secretary of State, when, upon his recommendation and that of all the Cabinet, the doctrine was announced by President Monroe.

That this doctrine is approved by an overwhelming majority of the American people, and that when our rebellion is crushed, it will be enforced in Mexico, is now and always has been my firm conviction.

In that event the validity of the grant would be unquestionable. The same result would undoubtedly follow if the French Imperial usurpation should be overthrown, without our aid, by the Republic of Mexico.

2d. As to the conditions of this grant, under all the circumstances, and in view of the state of affairs in Mexico, time would not be regarded as of the essence of the grant. If, however, you can have access now to the President of the Republic of Mexico, I would advise that an extension of time should be obtained from him. But if you cannot reach him now, I would advise, that favorable action, to the extent of their power, should be obtained from the Mexican Consul referred to in the grant, and also from the able and patriotic Minister of the Republic of Mexico at Washington.

It is so clearly the interest and wish of our sister Republic of Mexico that this grant should be carried into effect, that I believe any reasonable extension of time would be cheerfully given by that Government.

Yours very respectfully,

(Signed)

R. J. WALKER.

To Col. JACOB P. LEESE, of California,
Care Hon. CHARLES D. POSTON, 69 Broadway, New-York.

CONSULATE OF MEXICO }
IN SAN FRANCISCO. }

Under date of the 16th of May last, the Minister of Foreign Relations and of Government writes to me as follows :

“ By way of Alamos in the State of Sonora, and among the correspondence brought by the last steamer to Guaymas, I have received the duplicate of your note of the 1st of April of this year, relative to the contract concluded by Mr. Jacob P. Leese with the Supreme Government, on the 30th May, 1864, with reference to the colonization of certain lands in Lower California.

“ As I have already made known to you before, in consequence of the solicitude made by Mr. Charles D. Poston in Washington, as the representative of the enterprize of Mr. Leese, the Citizen President of the Republic accorded some months since, that through the Department of Fomento, the Citizen Matias Romero, Minister Plenipotentiary of Mexico in Washington, should be authorized to concede an extension of the term fixed, which he was advised had been conceded, and which new extension has also, I believe, already terminated. This affair remains, therefore, confided to the Citizen Minister Plenipotentiary, with full powers to treat regarding the same ; and for this reason I have limited myself to sending a copy of your note to the Department of Fomento, transcribing to you this reply for your information.”

And I transcribe the same to you as the result of the petition made by you for an extension of time, and sustained by me before the Supreme Government.

Independence and Liberty.

SAN FRANCISCO, July 26, 1865.

(Signed)

JOSÉ A. GODOY.

TO MR. JACOB P. LEESE, New-York.

MEXICAN LEGATION
IN THE UNITED STATES OF AMERICA. }

NEW-YORK, Nov. 10, 1865.

In reply to your communication under date of 7th inst., in which you propose the revalidation of the concession which the Government of the Republic of Mexico made to yourself and your associates on the 30th of March, 1864, with reference to colonization in Lower California, I make known to you that I hereby revalidate said concession, with the precise condition that if within six months counted from this date, there shall not have been obtained the One Hundred Thousand Dollars in Gold which are to be delivered to the Mexican Government, all of your rights which are revived by virtue of the present revalidation, shall determine and expire, and without the delivery of any part of the said sum altering this determination in any manner whatever. All of which I declare in use of the faculties and instructions which have been given to me by my Government with reference to the affair.

I repeat to you the assurances of my consideration.

(Signed)

M. ROMERO.

To JACOB P. LEESE, Esq.

This Indenture, made the thirteenth day of November, one thousand eight hundred and sixty-five, between JACOB P. LEESE of Monterey, California, of the first part, and THE MEXICAN MINING AND COLONIZATION COMPANY, a corporation formed and existing under the laws of the State of New York, of the second part, Witnesseth, that said party of the first part, in consideration of the sum of TEN MILLIONS OF DOLLARS to him in hand paid, has, and by these presents does grant, bargain and sell, convey, remise and release unto said party of the second part, all of that part of the peninsula of Lower California which lies between the thirty-first degree of north latitude on the North, and the twenty-fourth degree and twentieth

minute of north latitude on the South, and extending from the Pacific Ocean on the West into the Gulf of California on the East, together with all sounds, bays, harbors, seas, straits, and land thereunder, and all islands and fisheries of every kind within said limits, or by virtue of sovereignty belonging thereto, and all mines, minerals, precious metals and stones thereon or therein, and especially embracing herein all lands and islands in the neighborhood of, adjacent to and surrounding the Bay of Magdalena, and the said bay, and all other property and interests, and all rights, privileges, franchises, liberties, benefits and powers conveyed, conceded or granted to said party of the first part, in and by a certain instrument of contract, grant or concession, made to the party of the first part by the Mexican Government, at Saltillo, in the State of Coahuila, in Mexico, March 30th, 1864, signed by the Minister of Fomento Yglesias, and a copy whereof is hereto annexed and marked "A," and which is hereby, for purposes of description of what is hereby conveyed or intended to be conveyed, made a part hereof and reference thereunto fully had; ~~to have and to hold~~ all of the above described, unto the said party of the second part, its successors and assigns forever.

In Witness Whereof, the said party of the first part has hereunto set his hand and seal the day and year first above written.

JACOB P. LEESE.

*Sealed and delivered in the }
presence of*

ALBERT H. ALMY,
CHARLES D. POSTON.

The necessary arrangements having been made with the Mexican Minister, "The Mexican Mining and Colonization Company" has been organized with a Capital Stock of 100,000 Shares of \$100 each, which have been issued in full payment for the property—

50,000 shares of which have been returned to the Company for working capital ; thus making the entire capital stock full paid and unassessable.

The working capital will be devoted to stimulating the enterprise by sales, colonization and development.

The undersigned having undertaken the negotiation of the above enterprise, are prepared to sell any of the lands or franchises embraced in the grant, including bays, islands, harbors, mines, fisheries and salines,—or stock representing the same.

THE AMERICAN TRADING COMPANY,

.69 Broadway, New York.

HISTORICAL OUTLINE
OF
LOWER CALIFORNIA,

COMPILED BY


JACOB P. LEESE.

impl.

NEW YORK, DECEMBER, 1865.

New York :
E. S. DODGE & CO., BOOK AND JOB PRINTERS, 84 JOHN STREET.

1865.

LIBRARY OF CONGRESS



0 015 829 406 0